REMARKS

This Amendment is responsive to the Office Action mailed May 13, 2008, and is filed concurrently with the fees for a three month extension of time and a Request for Continued Examination (RCE) (Large Entity).

In the Final Office Action, claims 1-16 and 82-90 were rejected under 35 U.S.C. §103(a) as being unpatentable over Nguyen ("Nguyen") in view of ("Takeshima") and in view of Tanaka ("Tanaka"). Reconsideration and withdrawal of these rejections are hereby respectfully requested.

The Office, in the rejection of the independent claims, repeatedly states that

> **"Takeshima teaches executable software components (contents) are associated with identical identifiers and are signed with identical PKI certificates [Fig. 9, Col. 6, lines 17-31]."**

However, that is not the case. Takeshima does not teach that

> **"... identical executable software components in different ones of the plurality of gaming machines of the network connected gaming system are associated with identical identifiers and are signed with identical PKI certificates..." (Underlining for emphasis only)**

... as claimed in claim 1, but instead expressly teaches that content IDs are never re-used and are assigned only once:

> **"When the unit that manages registration information 46B receives a request for registering content, its additional function is to create a new entry in the registration database 45B and assign a content ID 3125 that is not in use to the content." (Underlining for emphasis) Takeshima Col. 12, lines 52-57.**

Content IDs, in Takeshima, therefore, are used only once, individually for each content. This is emphasized further in Takeshima, at Col. 14, lines 8-10:

> **"The content registration server, master 50A checks the content verification result returned (S507). If there is no problem (for example, the program does not include viruses, or the program does not use functions of low security), the unit that manages registration information 46B assigns an content ID 3125 that is not in use to the content (S510)" (Underlining for emphasis)**

There is no teaching in Takeshima that a same identifier (what the Office analogizes to the content IDs) is associated with different instances of the same executable content on different gaming machines, as claimed herein. In fact, Takeshima, as developed above, specifically states that content IDs that have already been used for content may not be re-used.

The Office makes a similar statement with regard to Tanaka:

> Tanaka teaches: identical executable software components (content) in different ones of the plurality of gaming machines (users/devices) of the network connected gaming system are associated with identical identifiers and are signed with identical PKI certificates, such that non-identical executable software components in different ones of the plurality of gaming machines are associated with separate and different identifiers and are signed with separate and different PKI certificates, and such that no two non-identical executable software components in different gaming machines are signed with a same PKI certificate [Fig. 26, 22, 5, paragraph 0177 i.e. each identical content (content 1, content 2....) has identical content ID which is associated with identical signature/certificate and is distributed to plurality of users/devices (user 1, user 2...)].

The referenced paragraph [0177] is reproduced below:

> **[0177]** In the example of **FIG. 22,** a license category **1** is shown covering the genre of jazz and a license category **2** the genre of rock and roll. The license category **1** is matched with contents **1** and **2** which have a license ID of 1 each and which are distributed to users **1**, **2** and **3**. The license category **2** comprises contents **3**, **4** and **5** which having a license ID of 2 each and which are provided to the users **1** and **3**.

In the passage above, the license categories 1, 2 (Jazz, Rock and roll, respectively) cannot be the claimed content ID, as claim 1 specifically requires that the

> **"wherein each different executable software component within each gaming machine ... is uniquely associated with a unique identifier and is signed with a separate and unique PKI certificate, the separate and unique PKI certificate being uniquely identified at least by the unique identifier"**

Therefore, the license categories do not and cannot function to uniquely identify the separate and unique PKI certificates, as required by claim 1.

This leaves the Tanaka's license ID as corresponding to the claimed content ID. However, that analogy fails also, as Tanaka's license ID of 1 corresponds to the license category 1; namely, Jazz. Indeed, Tanaka states that "The license category 1 is matched with contents 1 and 2 which have a license ID of 1 each and which are distributed to users 1, 2 and 3." This simply means that users 1, 2 and 3 are assigned a license ID of 1, which corresponds to the Jazz license category. Even more simply put, users 1, 2 and 3 have a license to play Jazz music. The applied combination, therefore, does not provide any teaching or suggestion to the person of ordinary skill in the art, even if such person were to be in full possession of the teachings Nguyen (which the Office acknowledges does not teach the claimed embodiment), Takeshima (which teaches that content IDs may not be re-used) and/or Tanaka (which teaches licenses having license IDs for different genres of music), to develop a method in which ...

> **"... identical executable software components in different ones of the plurality of gaming machines of the network connected gaming system are associated with identical identifiers and are signed with identical PKI certificates, such that non-identical executable software components in different ones of the plurality of gaming machines are associated with separate and different identifiers and are signed with separate and different PKI certificates, and such that no two non-identical executable software components in different gaming machines are signed with a same PKI certificate."**

Respectfully, the applied references do not actually teach what the Office says that they do. For example, the Office has not pointed to a single teaching or suggestion in the applied combination wherein identical software components in different gaming machines are associated with identical identifiers and are signed with identical PKI certificates, as required by the claim, as demonstrated above.

Reconsideration and withdrawal of the §103(a) rejection applied to claim 1 and its dependent claims are, therefore, respectfully requested.

Claims 17-25 were rejected as being unpatentable over the Nguyen-Takeshima-Tanaka combination above, and further in view of Rabin et al. Reconsideration and withdrawal of these rejections are hereby respectfully requested.

Claim 17 recites:

> **code signing each executable software component subject to receiving certification with its respective separate and unique PKI certificate, each respective PKI certificate being uniquely identified at least by a unique identifier that is uniquely associated with the executable software component such that identical executable software components in different ones of the plurality of gaming machines of the network connected gaming system are associated with identical identifiers and are code signed with identical PKI certificates, such that non-identical executable software components in different ones of the plurality of gaming machines are associated with separate and different identifiers and are code signed with separate and different PKI certificates and such that no two non-identical executable software components in different gaming machines are code signed with a same PKI certificate, and**

... which recitations have been amply distinguished from the Nguyen-Takeshima-Tanaka combination above. The arguments above are expressly incorporated herein as if repeated here in full.

Claim 17, as amended, continues:

> **configuring a software restriction policy certificate rule for each of the plurality of executable software components and enforcing each of the software restriction policy certificate rules to allow execution of only those executable software components whose code signed PKI certificate is determined to be authorized.**

Rabin et al., in contrast, teaches a single Supervisory Program 209 in the User Device (see Fig. 4). This single Supervisory Program 209 is tasked with performing call ups whenever a user attempts to use any one of a plurality of instances of software 111-114. In direct contrast, claim 17 now requires that a software restriction policy certificate rule be configured for each executable software component, which is contrary to the teachings of Rabin et al.

Claim 17 and its dependent claims, therefore, cannot be said to be somehow taught or suggested by the four-way combination, when none of the references, taken alone or in combination, teach or suggest either of main clauses of the claim – identical PKI certificates for identical software components across gaming machines and separate software restriction policy certificate rules for each executable software components.

Claims 20 and 22 are believed to be allowable for similar reasons. Rather than repeating the arguments advanced relative to claim 17, they are expressly incorporate herein by reference, as if repeated here in full.

Claim 22, moreover, includes the recitation:

> **configuring a path software restriction policy to prevent unauthorized software components from executing;**
>
> **configuring a path software restriction policy to prevent non-explicitly authorized software components from executing;**
>
> ...

enforcing the path software restriction policies.

The Office has not identified any teaching or suggestion in the applied combination that would lead one or ordinary skill in the art to configure or enforce path software restriction policies (alone or in addition to the claimed software restriction policies) in a gaming machine. It is respectfully submitted that repeated blanket statements that the claims "include limitations that are similar to limitations in claim 17" provide an insufficient factual or legal basis for rejecting independent claims that include independently patentable subject matter.

Claim 24 also includes recitations drawn to identical PKI certificates for identical software components across gaming machines, and is believed to be allowable of the applied art for the reasons developed above. In addition, however, claim 24 recites:

> **code signing each software component subject to receive certification with its respective separate and unique PKI certificate;**
>
> **configuring a certificate software restriction policy for each of the respective separate and unique PKI certificates, and**
>
> **enforcing the certificate software restriction policy for each of the respective separate and unique PKI certificates.**

... which is not taught or disclosed in the applied Nguyen-Takeshima-Tanaka combination and/or in Rabin et al., which discloses that each user device includes a single Supervisory Program performs all of the call-ups necessary to check the validity of instances of software. The applied combination of references, therefore, cannot be said to teach or to suggest the subject matter of claim 24 as well.

Claim 25 was also rejected as including "similar limitations" as claim 17. This, however, is not the case, as claim 25 includes not only recitations drawn to identical PKI certificates for

identical software components across gaming machines, but also includes the following recitations

> "...
>
> **packaging the code signed authorized software components into an installation package;**
>
> **configuring install policies to install each code signed authorized executable software component contained in the installation package;**
>
> **configuring certificate rule policies to allow execution of the installed code signed authorized executable software component;**
>
> **configuring enforcement of the policies."**

... which are nowhere found in claim 17. It is respectfully submitted to the Office that as such, claim 25 was and remains entitled to a full and complete examination on the merits, and not simply dismissed as being similar to some other previously examined claim. Specifically, claim 25 calls for packaging code signed software into installation packages, configuring install AND execution policies for each executable component in the installation package, and configuring the enforcement of the install AND certificate rule policies. The applied combination does not teach or suggest any such steps. As such claim 25 and its dependent claims are believed to be allowable over the applied art.

Lastly, independent claim 82 was also dismissed as including limitations "similar to limitations of claim 1". However, that is most assuredly not the case. For example, claim 1 makes no mention of

> **a reference platform representative of a target network connected gaming system and comprising a software-building environment located at a manufacturer or subcontractor of the software components;**

Claim 1 also makes no reference to

a certification platform located at a regulatory certification authority, the certification platform being substantially identical to the reference platform, and

... nor does claim 1 include any limitations drawn to

a secure communication link between the reference platform and the certification platform for enabling manufacturer or designated subcontractors to remotely configure the software building environment on the certification platform.

... as currently amended claim 82 now recites. The applied combination of references do not teach or suggest <u>any</u> reference or certification platforms that are coupled via a secure communication link to enable the manufacturer to remotely configure the software building environment on the certification platform. As such, claim 82 and its dependent claims are believed to be allowable over the art of record. Reconsideration and withdrawal of the 35 USC §103(a) rejections applied to the claims are, therefore, respectfully requested.

Applicants' attorney believes that the present application is now in condition for an early allowance and passage to issue. If any unresolved issues remain, the Examiner is respectfully invited to contact the undersigned attorney of record at the telephone number indicated below, and whatever is required will be done at once.

Respectfully submitted,

Date: November 13, 2008 By: _____

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